United Nations A/61/823

General Assembly

Distr.: General
28 March 2007

Original: English

Agenda item 123
Human resources management

Measures to address the imbalance in the geographical distribution of the staff in the Office of the United Nations High Commissioner for Human Rights

Report of the Secretary-General

Summary

The present report proposes measures to address the imbalance in the geographical distribution of the staff of the Office of the United Nations High Commissioner for Human Rights, as requested by the General Assembly in its resolution 61/244.

07-28662 (E) 190407

I. Introduction

1. The present report is submitted in accordance with resolution 61/244, in which the General Assembly requested the Secretary-General to present, in consultation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), proposals to address the imbalance in the geographical distribution of the staff in that Office.

II. Background

2. The issue of the imbalance in the geographical distribution of the staff in OHCHR was repeatedly raised by the Commission on Human Rights as a matter of serious concern. Requests to correct this imbalance were conveyed by the Commission through several resolutions adopted after 1997, when the current arrangements for the Office were introduced.

3. The Commission on Human Rights, in its resolution 2002/80, requested the Joint Inspection Unit (JIU) to undertake a comprehensive review of the management and administration of OHCHR, in particular with regard to its impact on recruitment policies and the composition of the staff. The JIU report (A/59/65-E/2004/48) highlighted several areas requiring improvement and presented proposals aimed at addressing the situation. In his comments (A/59/65/Add.1-E/2004/48/Add.1), the Secretary-General noted that the best course of action to implement the recommendations would be determined in consultation with the Office of Human Resources Management. The General Assembly, in its resolution 59/266, noted that JIU would submit a follow-up report.

4. The JIU report on follow-up to the management review of OHCHR was transmitted to the General Assembly in a note by the Secretary-General (A/61/115). It recommended that the Secretariat take measures to consider the specific situation of unrepresentation and underrepresentation in OHCHR when organizing specialized competitive human rights examinations and to prepare an action plan aimed at reducing the current imbalance in the Office's geographical distribution. JIU recognized that real change would take place over time, but called on OHCHR to reverse the current trend of increasing recruitment from overrepresented regions. The Secretary-General in his comments (A/61/115/Add.1) agreed that further efforts are needed to address the issue of geographical distribution, and noted that steps are being taken to improve the situation in OHCHR but that their impact will be tangible only in the medium term.

5. In its resolution 61/159, the General Assembly regretted that efforts to address the imbalance regarding the regional geographical diversity of the staff of OHCHR had not resulted in a significant improvement. It noted the low representation from the regional groups of African, Asian, Eastern European, and Latin American and Caribbean States in the staff of the Office. The General Assembly further reaffirmed that the Fifth Committee is the appropriate Main Committee entrusted with responsibilities for administrative and budgetary matters. The Assembly decided, inter alia, to allow, in the effort to redress the specific geographical imbalance of the Office, the establishment of a temporary mechanism whereby recruitment of staff in the Office at the P-2 level would not be restricted to successful candidates from the national competitive examination.

6. Subsequently, on the recommendation of the Fifth Committee, the General Assembly adopted resolution 61/244 in which it requested the Secretary-General to present to it at the first part of its resumed sixty-first session proposals to address the imbalance in the geographical distribution of the staff in that Office.

III. Rationale for proposals

7. The Secretary-General has formulated his response to this request on the basis of long-standing principles established by the General Assembly that govern the recruitment of staff, which were restated in sections II and X of Assembly resolution 61/244. The Assembly calls on the Secretary-General to ensure that the highest standards of efficiency, competence and integrity serve as the paramount consideration in the employment of staff, with due regard to the principle of equitable geographical distribution, in accordance with Article 101, paragraph 3, of the Charter of the United Nations. It confirms that recruitment, appointment and promotion of staff shall be made without distinction as to race, sex or religion, in accordance with the principles of the Charter and the provisions of the Staff Regulations and Rules of the United Nations. It requests the Secretary-General to continue his ongoing efforts to attain equitable geographical distribution in the Secretariat and to ensure as wide a geographical distribution of staff as possible in all departments and offices of the Secretariat. It also requests the Secretary-General to intensify his efforts to increase recruitment from unrepresented and underrepresented Member States and to undertake outreach efforts designed to prevent countries from falling under those categories. The Assembly further stresses that encouragement of recruitment from unrepresented and underrepresented Member States shall not disallow other qualified candidates from competing.

8. Regarding recruitment at the P-2 level, due note was taken of resolution 61/159, in which the General Assembly decided to allow the establishment of a temporary mechanism whereby recruitment of staff in OHCHR would not be restricted to successful candidates from the national competitive examination (NCE). Note was also taken of the wording of section III, paragraph 1, of resolution 61/244, in which the General Assembly qualified the language of its prior resolutions 51/226, 53/221, 55/258 and 57/305, providing that appointment to P-1 and P-2 posts shall be made exclusively through competitive examinations, by stating that national competitive examinations are the source of recruitment for P-2 posts subject to geographical distribution in order to reduce non-representation and underrepresentation of Member States in the Secretariat (emphasis added). Such a qualification would permit recruitment at the P-2 level outside the NCE for posts other than those subject to geographical distribution, of which there are a significant number in OHCHR. In this context, the Secretary-General observes that, in order to ensure continued consistency between the Staff Rules and the relevant provisions of the General Assembly resolutions, the text of staff rule 104.15 (b) will need to be amended since it currently states: "Appointment to P-1 and P-2 posts and to posts requiring special language competence shall be made exclusively through competitive examination". An amendment to that effect is contained in the annex to the present report.

9. The present report explains the measures currently being implemented by the Office of Human Resources Management and OHCHR to improve the geographical

distribution of staff in OHCHR, and presents a number of additional measures to accelerate the improvement.

IV. Measures currently implemented

10. NCEs in human rights were organized in 2001 and 2005, resulting in the establishment of a roster of highly qualified candidates. All candidates from Member States other than the Western European and Other States group have by now been recruited. The remaining candidates on the roster come from the group of Western European and Other States.[1]

11. NCEs are offered to unrepresented and underrepresented Member States and those in danger of becoming so ("within range, below mid-point"). OHCHR continues to encourage wide participation of nationals of these Member States. The Office of Human Resources Management, in collaboration with OHCHR, is reviewing the list of proposed countries for 2008 with a view to offering the human rights NCE only to the Member States which would help correct the imbalance in OHCHR's geographical distribution. OHCHR is counting on the cooperation of Member States in encouraging wide participation by their nationals in the NCE exercise to help ensure the widest possible pool of qualified candidates from unrepresented and underrepresented countries. In order to achieve as wide a participation as possible, OHCHR is committed to support the efforts of the Office of Human Resources Management to attract candidates from unrepresented and underrepresented Member States or Member States in danger of becoming so.

12. In order to facilitate the timely marking of the 2008 human rights NCE, the Office of Human Resources Management has recommended that OHCHR consider the funding of consultants in the field of human rights who can assist in marking the examination. This measure is expected to significantly reduce the time that would otherwise be required to place successful candidates on the roster.

13. The Office of Human Resources Management also reviews the 2007 NCE rosters of candidates successful in legal affairs and other occupational groups relevant to OHCHR who meet the targeted geographical criteria and who possess the requisite background in human rights to fill P-2 posts.

14. In respect of posts at other levels, efforts are being made to widen the pool of qualified candidates. These efforts include the measures described in paragraphs 16 to 21 below.

15. OHCHR has drawn the attention of potential applicants to OHCHR vacancies by advertising posts on the United Nations Secretariat Galaxy e-staffing system and in widely read international periodicals.

16. With a view to ensuring that vacancies are advertised as widely as possible within Member States, OHCHR has constituted mailing lists of over 1,200 governmental institutions, non-governmental organizations in the area of human rights, national human rights institutions and academic institutions willing to disseminate information on upcoming OHCHR vacancies and to bring the names of potential candidates from their own rosters to the attention of OHCHR.

[1] The distribution of staff by regional groups is maintained by OHCHR at the request of the Human Rights Council.

17. OHCHR has introduced an internal strategy aimed at improving geographical diversity. This includes a mechanism to review the recruitment process for each vacancy prior to final selection, so as to ensure that every effort has been made to identify and select qualified candidates from regions requiring improvement, with full consideration of and adherence to the Staff Regulations and Rules of the United Nations. The goal of this exercise is to maximize the number of additional qualified candidates from desirable geographical regions, not to exclude candidates from other regions, in order to have the broadest possible pool of recommended candidates for every post.

18. Each OHCHR branch/office is provided with information on the overall geographical composition of OHCHR, which clearly identifies the regions requiring improvement. All chiefs of branch are required to include among their goals geographical distribution targets for the branch under their supervision. Senior managers are held responsible for their efforts and success in improving geographical diversity in their divisions. Achievements are regularly monitored by the Programme Support and Management Services of OHCHR, which produce periodic reports for review by senior management. All staff members involved in recruitment activities have been informed of the OHCHR objectives and have received guidance, as required, on how to improve geographical distribution.

19. The above efforts have begun to show positive results. Of the 45 selection decisions made for Professional posts since the procedures were instituted in late September 2006, 31 (69 per cent) related to nationals from regions requiring improved representation within OHCHR. It may be noted that 10 of the 14 selections of nationals from the region already well-represented in OHCHR were internal promotions of staff members, and thus geographically neutral. A similar percentage (67 per cent) applied to selections for senior posts (P-5 and above) during this period, with 8 of 12 appointments coming from regions requiring improved representation.

20. OHCHR will continue to avail itself of the services of individuals from unrepresented and underrepresented countries through staff-exchange mechanisms, such as existing agreements on inter-agency transfers, secondments and loans.

V. Proposed additional measures

21. In the plan of action of the United Nations High Commissioner for Human Rights, called for by the Secretary-General in his report entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005), the High Commissioner presented a strategic vision for the future direction of the Office (A/59/2005/Add.3). In paragraph 120 of this document, the High Commissioner stated that achieving geographical balance in OHCHR will remain one of her priorities. She also reiterated that while the primary consideration in the selection of staff is the need to secure the highest standards of competence, integrity and efficiency, OHCHR will also pay due regard to recruiting and selecting individuals on as wide a geographical basis as possible.

22. This commitment was elaborated upon in a special action plan for achieving equitable geographical representation presented in the subsequent reports of the High Commissioner on the Composition of the staff of the Office (E/CN.4/2006/103

and A/HRC/4/93), which contained a number of action points aimed at improving the situation with regard to geographical representation among OHCHR staff.

23. NCE rosters will continue to be a primary source for recruitment of staff at the P-2 level. NCE candidates can be placed against regular budget and extrabudgetary posts; in the latter case, the practice is that the recruiting department must undertake to absorb the staff recruited against extrabudgetary posts, which are not subject to the system of desirable ranges, in the event that the funding for the original post is exhausted. This is required because, after a probationary period, NCE candidates receive permanent contracts with geographical appointment status.

24. In addition, in accordance with General Assembly resolution 61/159, a temporary mechanism is being established that would allow OHCHR to recruit candidates at the P-2 level from sources other than the NCE roster. In order not to compromise the principle of equitable geographical distribution in the Secretariat, it is proposed to recruit such staff to P-2 posts that are not subject to geographical distribution. They would be considered as internal candidates for other non-geographical posts in the Secretariat, but as 60-day candidates for posts subject to geographical distribution. Similarly, for P-3 posts funded from extrabudgetary sources, it is proposed that OHCHR may recruit qualified external candidates from regions requiring improved representation in the Office.

25. OHCHR, with assistance from the Office of Human Resources Management, will organize targeted recruitment campaigns for vacancies in the Professional and higher categories by liaising with Member States and other sources to identify applicants from OHCHR's list of countries targeted for improvement of representation among its staff.

26. Careful consideration will be given to geographical balance among associate experts, whose employment has also been the subject of scrutiny by Member States. Every effort will be made to encourage Member States sponsoring associate experts to extend their national programmes to nationals from developing countries, which is already being done by a number of Governments.

27. While seeking to achieve a more equitable geographical distribution, OHCHR will continue to pay special attention to the issue of gender balance. Determination and concerted effort have already brought success in this area, as demonstrated by the fact that, as at 31 December 2006, women represented 51.7 per cent of regular OHCHR staff and 53.7 per cent of temporary OHCHR staff, equivalent to an overall ratio of 52.7 per cent.

VI. Conclusions and recommendation

28. The Secretary-General considers improvement of the geographical representation of staff in the Office of the United Nations High Commissioner for Human Rights to be a matter of priority. He will continue his best efforts to achieve this goal.

29. The General Assembly is invited to take note of the proposals contained in this report and the amended staff rule 104.15 (b) contained in the annex.

Annex

Amendment to staff rule 104.15

Rule 104.15

Competitive examinations

(a) Boards of Examiners established by the Secretary-General shall ensure the regularity of the competitive examinations administered in accordance with conditions established by the Secretary-General.

(b) Boards of Examiners shall make recommendations to the Secretary-General in respect of the following:

(i) Appointment

Appointment to P-1 and P-2 posts **subject to geographical distribution** and to posts requiring special language competence shall be made exclusively through competitive examination. Appointment to posts at the P-3 level shall be made normally through competitive examination **or as a result of promotion of staff members previously appointed at the P-2 level after a competitive examination**.

(ii) Recruitment to the Professional category of staff from the General Service and related categories

Recruitment to the Professional category of staff from the General Service and related categories having successfully passed the appropriate competitive examinations shall be made within the limits established by the General Assembly. Such recruitment shall be made exclusively through competitive examination.

(c) Staff members appointed to the Professional level after a competitive examination shall be subject to mandatory reassignment, under conditions established by the Secretary-General.